

Izamit Mamaev, being duly sworn, deposes and says:

1. I am an employee of VTB Bank (PJSC). I work in the legal department of VTB Bank (PJSC).
2. I am familiar with the facts set forth in this affidavit.
3. VTB Bank (PJSC) has been named as a defendant in a civil action that is currently pending in the United States District Court for the Southern District of New York, captioned Schansman et al. v. Sberbank of Russia PJSC et al., No. 1:19-cv-02985-ALC-GWG (S.D.N.Y.).
4. VTB Bank (PJSC) is currently represented by the Latham & Watkins LLP law firm, although Latham & Watkins LLP has informed VTB Bank (PJSC) that their representation of VTB Bank (PJSC) in this case will terminate once their withdrawal has been granted by the Court.
5. In April 2022, Latham & Watkins LLP informed VTB Bank (PJSC) that they intended to withdraw as counsel in the instant matter.
6. After learning that Latham & Watkins LLP planned to withdraw, VTB Bank (PJSC) has searched for the new US counsel in this matter.
7. This search has been complicated by the blocking sanctions imposed by the United States government against VTB Bank (PJSC).
8. VTB Bank (PJSC) hired a Russian law firm (Orion Partners) which was assigned with subcontracting a US counsel for VTB Bank (PJSC) for this matter.
9. Over the past several weeks, VTB Bank (PJSC) and Orion Partners have been in discussions with Marc Agnifilo and Zach Intrater from the law firm Brafman & Associates, P.C. about that firm taking over the representation of VTB Bank (PJSC) (as Orion Partners' subcontractor) in this matter.
10. Brafman & Associates, P.C. has indicated a willingness to take on this representation so long as it could be compensated for its legal services consistent with the laws and regulations of the United States and Russia and so long as a U.S. bank would be willing to accept funds on the firm's behalf in this matter. It is understood that a payment of a retainer for Brafman & Associates, P.C. will be made by VTB Bank (PJSC) through Orion Partners.
11. I was informed by Mr. Agnifilo and Mr. Intrater today that: (1) they have contacted OFAC in writing and also spoke with an OFAC representative seeking OFAC's guidance for their firm to accept this representation and to accept funds in exchange for the firm's legal services and (2) OFAC has indicated that, although it does not approve or disapprove of individual scenarios, that while VTB Bank (PJSC) is a blocked entity pursuant to federal regulations, there is a general license that permits the payment of U.S.-based attorneys in exchange for legal services provided to a blocked entity in a pending matter in United States courts.
12. VTB Bank (PJSC) has internally allocated the funds for the retainer requested by Brafman & Associates, P.C., and this retainer amount has been allocated in order to engage (through Orion Partners) Brafman & Associates, P.C. as VTB Bank (PJSC)'s counsel in this case.
13. Therefore, in the meantime Brafman & Associates, P.C. needs to find a U.S.-based financial institution that will accept the funds provided for the retainer. Our understanding is that Brafman & Associates, P.C. is working on this issue and seeking to find a solution.



Izamit Mamaev
Legal department of VTB Bank (PJSC)